THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL No. 1593 of 2005

And

WRIT PETITION No. 21111 of 2004

31-10-2005

Between:

B.Abraham Lincoln.

.....APPELLANT

AND

The Joint Registrar/District Co-operative Officer, Guntur District & Others.

.....RESPONDENTS

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL No. 1593 of 2005

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WRIT PETITION No. 21111 of 2004

COMMON JUDGMENT : (Per Hon'ble Sri Bilal Nazki, ACJ)

An order of stay granted by the learned Single Judge earlier, was vacated by an order dated 18th August 2005, against which Writ Appeal No.1593 of 2005 has been filed. The writ petitioner in writ petition No.21111 of 2004, at that point of time, wanted stay of auction, which has, in the meanwhile, been conducted. In this view of the matter, the writ appeal itself has become infructuous. The learned counsel for appellant also submits that basically he was aggrieved of a Surcharge Order being passed by the Deputy Registrar of Co-operative Societies and he seeks the liberty of filing an appeal against the order of Surcharge, passed by the Deputy Registrar.

In this view of the matter, the writ petition as well as the writ appeal are dismissed, with liberty to the appellant/writ petitioner to file an appeal. The proceedings already taken place, shall remain subject to the outcome of such appeal. No order as to costs.

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(BILAL NAZKI, ACJ)

31st October 2005.

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(R.SUBHASH REDDY, J)

ajr